

## REMARKS

The examiner requires an election of one of the following groups of claims for continued examination:

Group I — claims 1 – 39; and

Group II — claims 40 – 46.

As discussed below, the applicants respectfully traverse the restriction requirement on Groups I and II on the grounds that the examiner can search and examine the claims in each of these groups without serious burden. Although the applicants traverse the restriction requirement as discussed below, they provisionally elect to prosecute claims 1 – 39 of Group I if the Examiner does not withdraw the restriction requirement.

According to MPEP §803, if the examiner can search and examine the application without serious burden, then he/she must examine the application on the merits even though it includes claims to independent or distinct inventions. As discussed below, because claims 1 – 46 recite similar subject matter, the examiner can perform a single search and examination that will cover all of the claims. Consequently, the examiner can search and examine claims 1 – 46 without serious burden, and therefore must examine these claims.

Because claim 1 recites an apparatus that includes a signal generator to generate a divider signal and a microprocessor to sense a stimulation signal while operating the dental instrument and to demodulate the stimulation signal from noise generated while operating the dental instrument, and claim 40 recites a dental handpiece that includes the apparatus recited in claim 1, and claim 44 recites a method that includes sensing a stimulation signal while operating a dental instrument, the examiner can perform a single search for claims 1 – 46. Furthermore, because these claims recite related subject matter, examination of these claims will involve similar analyses. Therefore, it is only slightly more burdensome for the examiner to search and examine claims 1 – 46 than it would be to search and examine the provisionally elected claims 1 – 39.

Consequently, because there is no serious burden on the examiner to search and examine claims 1 – 46, the applicants respectfully request that the examiner withdraw the restriction against these claims, and examine them.

## CONCLUSION

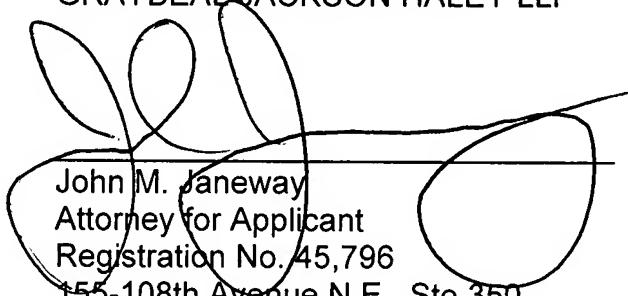
The applicants respectfully request that the examiner withdraw the restriction requirement against claims 1 – 46 and examine these claims.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the applicant's attorney, John M. Janeway, at (425) 455-5575.

DATED this 23<sup>rd</sup> day of May 2007.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP



John M. Janeway  
Attorney for Applicant  
Registration No. 45,796  
155-108th Avenue N.E., Ste 350  
Bellevue, WA 98004-5973  
P: (425) 455-5575  
F: (425) 455-1046